

25.02.2021

Item No.33

Ct.No.28

dc.

Rejected

C.R.M. 10606 of 2020

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Tapan Singha @ Pintu & Anr.**

... Petitioners.

Mr. Subrata Santra

... For the Petitioners.

Mr. Tapandeb Nandy,
Mr. Antarikhya Basu

... For the State.

Apprehending arrest in connection with Durgapur P.S. Case No. 428 of 2020 dated 07.11.2020 under Sections 419/420/406/323/506/120B of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated on the basis of a complaint which was directed to be treated as FIR by an order passed under Section 156(3) of the Code. There are no incriminating materials against the petitioners. The allegations are absolutely false and in view thereof, custodial interrogation of the petitioners is not necessary.

The learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to several

documents in the case diary including the extract of the passbook of a bank account in the name of the *de facto* complainant. He further submits that there are materials disclosing the involvement of the petitioners in the alleged offence.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that the petitioners are not entitled to the privilege of anticipatory bail.

The application for anticipatory bail, being CRM 10606 of 2020 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)